IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.4130 of 2004.
IN
FIRST APPEAL ST.NO.27802 OF 2004.

Digambar Satwaram Bhatt. ... Applicant.
V/s.
Devu Hari Kadu and another. ... Respondents.

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri S.M.Oak for the Applicant.

Ms.Bhavana H.Mahtre for the Respondent No.1

Ms.Arati Barve for Respondent no.2.

CORAM : ABHAY S.OKA, J.

DATED : 8th June, 2006.

P.C.:

1. Heard the learned Advocates appearing for the parties. The Advocate appearing for Respondent no.1 seeks time to file affidavit-in- reply.

2. There cannot be any unconditional stay to the impugned Judgment and Award. For the time being reasonable amount will have to be deposited in this Court by the Applicant.

3. Ad-interim order dated 8th December 2004 is modified and it is directed that there will be ad-interim relief in terms of prayer clause (a)

subject to condition of the Applicant depositing Rs.1 lakh in this Court within a period of 8 weeks from today. If the amount is not deposited, the ad-interim stay will stand vacated without further reference Court.

4. The Respondent No.1 is permitted to withdraw a sum of Rs.25,000/- deposited in this Court by the Applicant. Out of the sum of Rs.1 lakh, which may be deposited by the Applicant, Respondent No.1 will be permitted to withdraw a sum of Rs.50,000/- on furnishing security to the satisfaction of the Registrar (Judicial-I) of this Court.

Judge.